

REMARKS

Claims 1-37 are pending in the application. In this Amendment, Applicant has amended claims 1 and 19. Applicant is not conceding that the subject matter encompassed by claims 1 and 19, prior to this Amendment, are not patentable over the art cited by the Examiner. Claims 1 and 19 were amended in this Amendment solely to facilitate expeditious prosecution. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by claims 1 and 19 as presented prior to this Amendment and additional claims in one or more continuing applications.

Applicants respectfully request reconsideration of the rejections set forth in the Final Action based on the following remarks.

Objection to the Specification

The Examiner objects to the specification for failing to provide antecedent basis for the claim recitation of “the requester privacy statement describes how each of the requested data-subject will be used by the requester”.

Applicants respectfully disagree. For example, p. 8., lines 4-7 of Applicant’s disclosure states that “[a]ny request for such data from a requester must be accompanied by a privacy statement describing how each of the requested data will be used by the requester.”

Withdrawal of the Objection to the Specification is respectfully requested.

Claim Rejections – 35 USC § 112

Claims 1 and 19 stand rejected under 35 U.S.C. 112, first paragraph, for the reasons stated by the Examiner in paragraph 4 of the Office Action.

The Examiner states that the specification failed to provide sufficient description for the claimed recitation of “the requester privacy statement describes how each of the requested data-subject will be used by the requester”.

Applicants respectfully disagree. For example, Applicant’s disclosure teaches (in p. 25, line 5-p. 26, line 17) that the privacy statement may include purpose, retention, recipient, and

access information. Further, Applicant's disclosure teaches (in p. 19, lines 14-15) that "purpose specifies the purposes for which the data can be acquired and processed" (See also p. 19, line 16-p.20,line9), (in p. 19, lines 12-13) that "retention refers to the kind of retention policy applied to the data" (See also p. 19, lines 14-20), (in p. 21, lines 1-2) that "recipient specifies the legal entity, or domain, beyond the requester where the data may be distributed" (see also p. 21, line 3-10), and (in p. 21, lines 11-12) that "access ... describes whether the data in the corresponding authorization set should be accessible by the data subject after the data has been released."

Withdrawal of the rejections under 35 U.S.C. 112, first paragraph is respectfully requested.

Claims 1 and 19 stand rejected under 35. U.S.C. 112, second paragraph, for the reasons set forth by the Examiner in para. 5 of the Office Action. In particular, the Examiner states that "it is unclear and indefinite to the Examiner what applicant meant by *the requester privacy statement describes how each of the requested data-subject will be used by the requester.*

Claims 1 and 19 have been amended to clarify that the claimed requester privacy statement "*includes purpose, retention, recipient, and access information, wherein the purpose information specifies the purpose for which the requested data is acquired, the retention information specifies a retention policy for the requested data, the recipient information specifies the recipients of the requested data, and the access information specifies whether the requested data should be accessible to the data-subject after the data has been released.*" The amendments to claims 1 and 19 are believed to at least be supported for the reasons discussed above with respect to the 35. U.S.C. 112, first paragraph rejection.

Withdrawal of the rejections under 35 U.S.C. 112, second paragraph is respectfully requested.

Claim Rejections - 35 U.S.C. § 102

Claims 1-37 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,275,824 to O'Flaherty, as set forth in paragraph 6 of the Office Action.

It is respectfully submitted that O'Flaherty does not disclose "*a request message from a requester... the request message having... a requester privacy statement..., wherein the requester privacy statement includes purpose, retention, recipient, and access information, wherein the purpose information specifies the purpose for which the requested data is acquired, the retention information specifies a retention policy for the requested data, the recipient information specifies the recipients of the requested data, and the access information specifies whether the requested data should be accessible to the data-subject after the data has been released*", as recited in amended claims 1 and 19.

O'Flaherty merely teaches (in col. 13, lines 63-col. 4, line 7) providing a view of data to a requesting entity based on the verified identity of the entity. However, there is no disclosure in O'Flaherty of the contents of the entity's request, much less one that includes *purpose, retention, recipient, and access information, wherein the purpose information specifies the purpose for which the requested data is acquired, the retention information specifies a retention policy for the requested data, the recipient information specifies the recipients of the requested data, and the access information specifies whether the requested data should be accessible to the data-subject after the data has been released.*

The Examiner cites 90+ lines (see col. 4, lines 30-col. 5, line 63) in O'Flaherty as disclosing the claimed requestor privacy statement, but fails to offer any corresponding analysis. Indeed, there is no specific mention of a requestor privacy statement in these lines or elsewhere in O'Flaherty. The cited lines merely refer to a secure data warehouse 102 which includes an interface that enables a consumer to specify data sharing and privacy preferences for the customer's personal information. However, there is no disclosure in O'Flaherty of these preferences being received in a privacy statement in a request, much less in a request that includes, for example, access information that specifies whether the requested data should be accessible to the data-subject after the data has been released.

For at least the foregoing reasons, O'Flaherty fails to disclose claims 1 and 19. Thus

claims 1 and 19 are patentable over O'Flaherty.

Claims 2-18 and Claims 20-37 are believed to be patentable over O'Flaherty at least by virtue of their respective dependencies from claims 1 and 19.

Conclusion

In view of the foregoing remarks, it is respectfully submitted that all the claims now pending in the application are in condition for allowance. Early and favorable reconsideration is respectfully requested.

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Respectfully submitted,



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